

Unapproved

**SALEM ZONING BOARD OF APPEALS
July 22, 2010**

Present: Bernier, J.
Cole-Chu, L.
Crisanti, S. Alt.
Kozlowski, S., Alt. - arrived at 7:34 pm
Mullin, M.

Absent: Balavender, G. Alt.
Bellandese, K.
Nortz, R.

Guests: see attached.

CALL TO ORDER:

L. Cole-Chu, chairman, called the meeting to order at 7:33 pm.

PLEDGE OF ALLEGIANCE:

SEATING OF ALTERNATE(S):

M/S/C (Mullin/Bernier) to seat S. Crisanti for R. Nortz. Vote: approved unanimously.

PUBLIC HEARING(S):

- 1) #10-05 S. Falcone, 8 Alexander Road, Salem CT 06420
Request for a variance of Section 4.4.1 of the Salem Zoning Regulations (Rear Yard MINIMUM SETBACK) from the required fifty (50) feet to thirty-five (35) feet for expansion of a single family home.
Assessor's Map #10; Lot #16-10 8 Alexander Road

Legal Notices read.

S. Kozlowski arrived at the meeting.

M/S/C (Mullin/Bernier) to seat S. Kozlowski for K. Bellandese. Vote: approved unanimously.

All Certificates of Mail received as per the Regulations.

The chair reviewed the Salem ZBA public hearing procedures.

A. Falcone, appeared for the applicant:

Request is for the construction of a handicapped accessible bedroom and bathroom for the care of an elderly family member.

The location for the proposed bedroom and bath is to the rear of the first floor of the existing house.

Board review of the site plan presented:

There are alternatives to locating the bedroom to the rear and encroaching on the setback:

- Conversion of the enclosed deck to the west,
- Locating it in the front of the house, or
- The American Disabilities Act (ADA) may be a factor in determining the disposition of this variance request.

A. Falcone:

The rear of the house is the most prudent location as there is a screened porch to the west and the lot, though a front lot, has so much ledge and outcroppings of rock that the house is sited to the rear in the northwest corner of the lot approximately 270 feet from Alexander Road. There will be much less chance of ledge to the rear of the house.

There would still be a thirty-five (35) ft. setback from the lot to the rear and that lot would require a fifty (50) ft. setback. Going into the setback would have no impact on the neighboring properties.

After discussion, it was the Board's consensus that more information regarding the ADA is needed and to recess the public hearing and set a date for a Special Meeting for continuance.

M/S/C (Crisanti/Kozlowski) to continue the public hearing for the following application:

#10-05 S. Falcone, 8 Alexander Road, Salem CT 06420

Request for a variance of Section 4.4.1 of the Salem Zoning Regulations (Rear Yard MINIMUM SETBACK) from the required fifty (50) feet to thirty-five (35) feet for expansion of a single family home.

Assessor's Map #10; Lot #16-10 8 Alexander Road

to a Special Meeting to be held on Monday, August 2, 2010, Salem Town Office Building, 270 Hartford Road at 7:30 pm. Vote: approved unanimously.

RECEIPT OF APPLICATION(S) TO SET PUBLIC HEARING DATE(S):

There were no applications received.

APPROVAL OF MINUTES OF PREVIOUS MEETING(S):

1) April 22, 2010 - Regular Meeting

M/S/C (Crisanti/Cole-Chu) to approve the minutes of the April 22, 2010 Regular Meeting of the Salem Zoning Board of Appeals as presented. Vote: For approval - Bernier, Cole-Chu, Crisanti, Mullin. For denial - no one. Abstaining - Kozlowski.

MOTION CARRIED.

With the Board's consent, the chair added the following minutes for approval:

"2) May 27, 2010 - Regular Meeting,"

for which the Board had deferred action until it's next meeting.

2) May 27, 2010 - Regular Meeting

(Both the original version and an edited (due to clerical errors) version of these minutes were received by all members for review in their packages for this meeting.)

M/S/C (Crisanti/Bernier) to approve the edited version of the May 27, 2010 Regular Meeting of the Salem Zoning Board of Appeals as presented. Vote: approved unanimously.

(The approved edited version of the 5/27/10 minutes will be attached to the original version filed in the Town Clerk's office.)

OLD BUSINESS:

1) ZBA application fees

The Admin. Asst. had called other towns in regard to their ZBA fees:

Seven (7) towns; fee ranges were from \$100 up to \$355. A couple included the \$60 state fee in their application fee, but the rest charged the \$60 separately as Salem does. The average fee was approximately \$188 and they all stated that their application fees were now less than what it costs to publish the legal notices.

M/S/D (Mullin/Bernier) to raise the Salem Zoning Board of Appeals application fee to \$500.00. For approval - Mullin. For denial - Bernier, Cole-Chu, Crisanti, and Kozlowski. Abstaining - no one.

MOTION DENIED.

The Board will again discuss application fees at the 8/02/10 Special ZBA Meeting.

2) Such other Old Business as may be proper

There was no further *OLD BUSINESS*.

NEW BUSINESS:

1) Such other New Business as may be proper

There was no other *NEW BUSINESS* this evening.

CORRESPONDENCE/ANNOUNCEMENTS:

There was no *CORRESPONDENCE/ANNOUNCEMENTS* this evening.

ADJOURNMENT:

M/S/C (Kozlowski/Bernier) to adjourn the meeting at 9:30 pm. Vote: approved unanimously.

D. McTigue, Administrative Assistant/Recording Secretary
L. Cole-Chu, chairman